

HIGH COURT OF JUDICATURE AT BILASPUR: CHHATTISGARH

Single Bench : Hon'ble Shri H.L. Dattu, C.J.

Contempt Petition No.27 OF 2005Applicant

Madhav Rao Channawar,
S/o. Gopinath Channawar,
Aged about 78 years, Represented by
his son Anil Channawar, Aged about 38
years, R/o. Shukla Colony, Jail Road,
Raipur (C.G.)

Vs.

Contemnors

1. Shri V.P. Malviya, Joint Director, Nagar
Tatha Gram Nivesh, District Office
Raipur.
2. Shri Ashok Agrawal,
Commissioner, Municipal Corporation,
Raipur, Municipal Corporation Raipur.

Present: Shri Goutam Bhaduri, counsel for the applicant.

ORAL ORDER

(Passed on 13th March, 2007)

The petitioner in Writ Petition No.1801 of 2004 is the complainant in this contempt petition. He alleges that the respondents have disobeyed the orders and directions issued by this Court on 01.07.2004. In support of his assertion, the petitioner has produced a letter issued by the respondents dated 14.02.2005.

(2) Before I advert to the contention canvassed by the learned counsel for the petitioner, it would be useful to refer to the orders passed by this Court in another writ petition wherein the petitioner had questioned the very notice issued on 14.02.2005. While entertaining the writ petition the Court has not only condemned the action of the 2nd respondent but also granted interim order of stay.

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(3) The one and only direction issued by this Court while entertaining the writ petition No.1801 of 2004 decided on 01.07.2004 is not to demolish the disputed property till the next date of hearing.

(4) The respondents nearly after eight months from the date of the interim order, has issued a letter to the petitioner asking to demolish the disputed property. That notice was the subject matter in another Writ Petition No.855 of 2005.

(5) In view of the above circumstances, I do not intend to take cognizance of the contempt petition. Accordingly, contempt proceedings are dropped.

(6) However, any observation made by me in the course of disposing of this petition would not come in the way of the petitioner to take all the contentions which are available to him.

Sd/-
Chief Justice